

Agenda Item Number: 2-21-13.11

**SANDOVAL COUNTY  
BOARD OF COUNTY COMMISSIONERS**

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**Date of Commission  
Meeting:**

February 21, 2013

**Division / Elected  
Office:**

Planning and Zoning

**Staff Contact:**

Makita Hill, Long Range Senior Planner

**Title of Item:**

Resolution Re-adopting and Amending the Sandoval County Comprehensive Plan to include Proposed Housing and Hazard Management Elements

**Action Requested:**

Motion to Adopt Resolution No. 2-21-13.11 Re-adopting and Amending the Sandoval County Comprehensive Plan to include Proposed Housing and Hazard Management Elements

**Summary:**

Sandoval County Planning and Zoning Commission requests re-adoption of Sandoval County Comprehensive Plan and to add a new Housing element to the Plan. Staff requests consideration to add a Hazard element to the Plan. The purpose of this request is to fulfill requirements related to applications for Federal funding for County community projects.

Federal regulations governing the application process for Community Development Block Grant (CDBG) funding requires a Comprehensive Plan approved and adopted by a government agency within the last ten (10) years, and that the Comprehensive Plan include a Housing element and a Hazard Management element. The purpose of the Housing element is to summarize how the government agency provides a variety and choice of housing for citizens, and the means by which the government agency acquires housing and income information for federal funding applications. The purpose of the Hazard Management element is to reflect current plans and programs designed to secure healthy, safe, and environmentally secure circumstances for County residents.



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The Planning & Zoning Commission held a Public Hearing on this request on January 24, 2013. The Planning & Zoning Commission reviewed and discussed the staff proposal for the Housing element, and voted unanimously to send a Planning Commission-modified version of the Housing element to the Board of County Commissioners with their recommendation of approval. The Planning Commission's version was reviewed by the Local Government Division and the Mid-Region Council of Governments. Both agencies found the Planning Commission's version to be inadequate and endorsed the staff proposal with recommended amendments. The Local Government Division also advised and recommended the additional of a Hazard Management element to benefit the County's pursuit of CDBG funding.

The Findings provided in the January 24, 2013 Planning and Zoning Commission staff report are the following:

### **FINDINGS**

- (1) This is a request by the Sandoval County Planning and Zoning Division for an amendment to the Sandoval County Comprehensive Plan (SCCP) to add SECTION V: HOUSING as a new element to the Plan.
- (2) The purpose of this request is to establish guiding policies and strategies that support the provision of a variety and choice of housing for citizens in Sandoval County planning and zoning jurisdiction, and to enable consideration for public funding to support County communities.
- (3) Counties are granted jurisdiction to create and revise comprehensive plans (also referred to as master plans) and regulatory processes under current New Mexico Enabling Legislation, Sections 4-57-1 and 4-57-2, NMSA, 1978.
- (4) In review and consideration of an amendment to the current SCCP, the proposed amendment must demonstrate consistency with existing adopted SCCP policies, applicable legal precedent, and County zoning regulations.



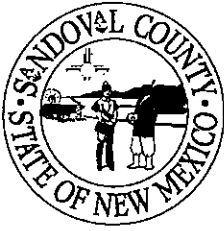
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- (5) The proposed SECTION V: HOUSING element amendment to the Sandoval County Comprehensive Plan (SCCP) is supported by current policy in the SCCP which establishes a planning process for identifying and supporting unique area characteristics and growth pressures in areas through the County (SCCP Section I, Land Use and Natural, Historic, and Cultural Resources, Policy A, Strategies 1 and 4).
- (6) The proposed SECTION V: HOUSING element amendment to the Sandoval County Comprehensive Plan (SCCP) supports a planning and zoning process that facilitates access to a variety and choice of housing for all citizens in Sandoval County jurisdiction and therefore is consistent with legal precedent as noted in this report (SECTION V: HOUSING, Policy A, Strategies 1 – 4).
- (7) The proposed SECTION V: HOUSING element amendment to the Sandoval County Comprehensive Plan (SCCP) is supported by the County's Area Plan process which may enable use of a variety of zoning districts in the Sandoval County Comprehensive Zoning Ordinance (CZO) that enable higher density residential uses.
- (8) The proposed SECTION V: HOUSING supports the process of applying for public funding for community development needs (SECTION V: HOUSING, Policy B, Strategies 1-3).

The modified version of the Housing element, and the staff proposed Hazard Management element, is sent to the Board of County Commissioners with a recommendation of approval and is attached thereto.

**Attachments:**

- Legal Notice
- Proposed Housing and Hazard Management Element
- Resolution No. 2-21-13.11



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**FISCAL IMPACT**

None

**STAFF ANALYSIS SUMMARY**

<b>County Manager:</b>	Recommend Board of County Commission approval. PPR 2/14/13
<b>Initiating Elected Official / Division Director:</b>	Reviewed and Approved MRS 2/12/13
<b>Legal:</b>	Approved as to form. PFT 2/14/2013
<b>Finance:</b>	(Not sent for review – no fiscal impact)

## **LEGAL NOTICE OF SANDOVAL COUNTY PLANNING AND ZONING COMMISSION MEETING**

On **Thursday, February 21, 2013** the Sandoval County Board of County Commissioners will hold a Public Hearing at **6:00 P.M. in the Commission Chambers at the Sandoval County Administration Bldg, 1500 Idalia Road Building D, Bernalillo, New Mexico.**

*The order of this Legal is not necessarily the order of the Agenda*

The purpose of the Public Hearing is to review the following items:

Request by Sandoval County Planning and Zoning Division for review and consideration of Re-Adoption of the Sandoval County Comprehensive Plan, and an Amendment to the Sandoval County Comprehensive Plan establishing SECTION V: HOUSING and SECTION VI: HAZARD MANAGEMENT, in the Plan. The Sandoval County Planning and Zoning Commission reviewed this request at their January 24, 2013 public hearing, and moved to send the proposed amendments to the Board of County Commissioners with a recommendation of approval.

Copies of materials related to this hearing item are available electronically on the Sandoval County website:

[www.SandovalCountyNM.Gov](http://www.SandovalCountyNM.Gov) (Follow the links under “*Depts & Divisions*” to “*Planning and Zoning Division*”, scroll down to and double click to open the desired document.)

for viewing and may be purchased from the Planning & Zoning Department at the Sandoval County Administration Bldg, 1500 Idalia Road, Building D, Bernalillo, New Mexico during regular business hours 8AM-5PM, Monday through Friday. If you have any questions concerning this request, please write the Sandoval County Planning and Zoning Division at P.O. Box 40, Bernalillo, NM 87004 or call Makita Hill, Long Range Senior Planner, at 867-7626.

*Please note that in order to assure consideration of written materials regarding this matter, such materials must be submitted to the Planning and Zoning Division no later than seventy-two (72) hours prior to the hearing time listed above.*

Posted (DATE)

**PROPOSED COMPREHENSIVE PLAN HOUSING/HAZARD MANAGEMENT ELEMENTS:**

**SECTION V: HOUSING**

- A. POLICY: Sandoval County shall establish and maintain a planning and zoning process that facilitates access to a variety and choice of housing for all citizens in Sandoval County's planning and zoning jurisdiction.

STRATEGIES:

1. Sandoval County maintains zone districts for single family and higher density residential uses for the County's planning and zoning jurisdiction in the Sandoval County Comprehensive Zoning Ordinance (CZO).
2. Zone districts for higher density residential uses may be implemented through the County's Area Plan process.

- B. POLICY: Sandoval County shall implement programs and procedures for neighborhood stabilization and improvement which also promote new affordable housing.

STRATEGIES:

1. The County shall pursue participation in State and Federal housing programs which provide assistance for the rehabilitation and maintenance of existing qualifying affordable housing.
2. The County shall pursue participation in State and Federal housing programs which provide assistance for the construction and maintenance of new affordable housing.
3. The County shall establish regulations and procedures to enable infill development for affordable housing on lots of substandard size and/or irregular dimensions.
4. The County shall comply with the U.S. Fair Housing Act and the U.S. Affordable Housing Act to insure that citizens shall not be discriminated against regarding access to housing based on Race or color, National origin, religion, gender, familial status, or disability.

- C. POLICY: Sandoval County shall establish planning procedures for County communities that enable consideration for Community Development Block Grant (CDBG) public funding.

STRATEGIES:

1. Sandoval County shall utilize U. S. Census/Census Designated Place (CDP) data, including U.S. Census data compiled by the Mid-Region Council of Governments, for the County's application process for Community Development Block Grant (CDBG) public funding. The County may supplement this data with information from other public and governmental agencies where needed.

2. Sandoval County shall observe U.S. Census/Census Designated Plan (CDP) data, including U.S. Census data compiled by the Mid-Region Council of Governments, in the creation of Area Plans. The County may supplement this data in Area Plans with information from other public and governmental agencies where needed.
3. An Area Plan adopted by the Board of County Commissioners may comprise a portion of an application for Community Development Block Grant (CDBG) funding where the policies and strategies contained in the Area Plan lend to the identification of sites for affordable housing and housing related benefits to low- and moderate-income persons, the prevention or elimination of slum and blight, and/or lend to meeting other community development needs.

## **SECTION VI: HAZARD MANAGEMENT**

- A. POLICY: Sandoval County shall establish and maintain hazard management programs to provide for safe and environmentally healthy County communities.

### **STRATEGIES:**

1. Sandoval County establishes and maintains the Flood Damage Prevention Ordinance for the protection of citizens and properties within County jurisdiction from flood related hazards, consistent with the requirements of the Federal Emergency Management Agency (FEMA).
2. The Rio Rancho Estates portion of Sandoval County is under the flood control jurisdiction of the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA). The Algodones area west of Interstate 25 is under the flood control jurisdiction of the Eastern Sandoval County Flood Control Authority (ESCAFCA). Sandoval County shall work cooperatively with SSSCAFCA and ESCAFCA in creating plans for development in this area that establish and maintain environmental protection criteria for neighborhoods and communities.
3. Sandoval County establishes and maintains the Hazard Mitigation Plan through the County's Fire/Emergency Management Division.
4. Sandoval County complies with all applicable State and Federal requirements regarding operation of liquid waste disposal systems, and air and water quality standards regarding commercial and industrial land uses.
5. Sandoval County complies with all applicable State and Federal requirements regarding the location of solid waste disposal sites and solid waste/recycling management.
6. Sandoval County, in cooperation with the Mid-Region Council of Governments, provides the Rio Metro Sandoval transit system for County communities and Native American pueblos located within the County, for access to public transportation which contributes to the reduction of greenhouse gas emissions and the maintenance of air quality standards in the County.



## SANDOVAL COUNTY

### RESOLUTION NO. 2-21-13.11

RE-ADOPTING AND AMENDING THE SANDOVAL COUNTY COMPREHENSIVE PLAN.

WHEREAS, the Board of County Commissioners, the governing body of the County of Sandoval, has retained the authority to adopt master plans for the physical development of areas within the jurisdiction of Sandoval County, as authorized by Sections 4-57-1 and 4-57-2, NMSA, 1978; and

WHEREAS, the *Sandoval County Comprehensive Plan* was originally adopted by the Board of County Commissioners in July 1989; and

WHEREAS, the County's *Comprehensive Plan* is the overall long-range plan for Sandoval County, forming the foundation for area plans that will further ensure rational development that respects human, economic, and environmental needs within Sandoval County and is still in large part an effective general long-range plan for the County as a whole; and

WHEREAS, the County's current *Comprehensive Plan* was re-adopted in 2002 in order to retain the *Comprehensive Plan* as a guide for the Board of County Commissioners on all matters related to planning; and

WHEREAS, the Sandoval County Planning & Zoning Commission, as the advisory body to the Board of County Commissioners on all matters related to planning, has reviewed the proposed AMENDMENT to the *Sandoval County Comprehensive Plan*, SECTION V: HOUSING, at a Public Hearing on January 24, 2013; and

WHEREAS, the Board of County Commissioners recognize the need for this AMENDMENT to the *Comprehensive Plan* as the proposed AMENDMENT will lend further guidance to the County of Sandoval and other agencies and individuals involved in housing and public funding decisions to ensure orderly development; and

WHEREAS, the Board of County Commissioners recognize that the proposed AMENDMENT to the *Comprehensive Plan*, SECTION V: HOUSING, is consistent with existing policies and strategies in the *Comprehensive Plan*; is consistent with applicable legal precedent, and; is consistent with existing zoning regulations in the *Sandoval County Comprehensive Zoning Ordinance*; and

WHEREAS, upon further review of the proposed AMENDMENT by the New Mexico Local Government Division, it was recommended that an additional AMENDMENT to



the *Comprehensive Plan*, SECTION VI: HAZARD MANAGEMENT, be added to improve considerations for public funding for County community projects; and

WHEREAS, in addition to the proposed AMENDMENT to the current *Comprehensive Plan*, SECTION V: HOUSING and SECTION VI: HAZARD MANAGEMENT, the County's current *Comprehensive Plan* must also be re-adopted in order to continue retaining the *Comprehensive Plan* as a guide for the Board of County Commissioners on all matters related to planning.

NOW, THEREFORE, BE IT RESOLVED BY THE SANDOVAL COUNTY BOARD OF COUNTY COMMISSIONERS:

**Section 1:**

The current *Comprehensive Plan* is hereby re-adopted to retain the current *Plan* as a guide for the Board of County Commissioners regarding all matters related to planning.

**Section 2:**

The proposed AMENDMENT to the *Comprehensive Plan*, SECTION V: HOUSING, and SECTION VI: HAZARD MANAGEMENT, is hereby adopted as new elements of the *Plan* as follows:

**SECTION V: HOUSING**

- A. POLICY: Sandoval County shall establish and maintain a planning and zoning process that facilitates access to a variety and choice of housing for all citizens in Sandoval County's planning and zoning jurisdiction.

**STRATEGIES:**

1. Sandoval County maintains zone districts for single family and higher density residential uses for the County's planning and zoning jurisdiction in the Sandoval County Comprehensive Zoning Ordinance (CZO).
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DONE AT BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 21ST  
DAY OF FEBRUARY 2013.

BOARD OF COUNTY COMMISSIONERS  
OF SANDOVAL COUNTY

\_\_\_\_\_  
Darryl F. Madalena, Chair

ATTEST:

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Nora Scherzinger, Vice Chair

\_\_\_\_\_  
Eileen Garbagni, County Clerk

\_\_\_\_\_  
Orlando J. Lucero, Member

APPROVED AS TO FORM:

\_\_\_\_\_  
Don Chapman, Member

\_\_\_\_\_  
Patrick F. Trujillo, County Attorney

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Glenn Walters, Member